IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 1ST JANUARY 2007 / 11TH POUSHA, 1928

Crl.MC.No. 4075 of 2006()

AGAINST THE ORDER IN CMP.5161(A)/06 IN
CC.721/1997 of JUDL.MAGISTRATE OF FIRST CLASS COURT, THIRUVALLA

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PETITIONER: COMPLAINANT

K.V.NARAYANA KURUP,
MANIBHAVAN VEEDU, KIZHAKKEKARA MURI,
NEDUMPROM VILLAGE.

BY ADV. SRI.T.SAJI

RESPONDENTS: STATE AND ACCUSED

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1. STATE OF KERALA,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

2. N.K.DEVARAJAN,
BABU SADANAM, ATHIRITHIYIL,
PALLICKAL P.O., PAYUIPPADU VILLAGE,
CHANGANASSERY, KOTTAYAM DISTRICT.

R1 BY PUBLIC PROSECUTOR SRI.GIKKU JACOB

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 01/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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Crl.M.C.No. 4075 of 2006

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Dated this the 1st day of January, 2007

O R D E R

The direction that an amount of Rs.60,000/- be released to the petitioner has now become final. This Court in revision had not interfered with the said direction. In these circumstances the amount, if in deposit, can be released to the petitioner without any condition. The insistence on execution of an indemnity bond by the petitioner is found to be totally unnecessary and not justified by the directions of the Appellate Court and the orders passed by this Court in revision.

2. In the result this Crl.M.C. is allowed. The condition that the petitioner must execute an indemnity bond is set aside.

(R. BASANT)
Judge

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